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FLOOR DEBATE

March 28, 2002 LB 415, 931

Currently under the Nebraska Farm Labor Contractors Act, the farm labor contractor must pay a fee of \$750 and a \$5,000 bond, unless he or she is eligible for an exemption as prescribed by the law. During the 2000 Session, I introduced LR 475, an interim study, to enable the Business and Labor Committee to examine and study the policies relating to this act. In the process of this study and meeting with the Department of Labor, it was determined that the fee and bond associated with the act should be eliminated. Under the present act, only farm employers who hire workers that live farther than 50 miles away from the work site must pay the fee and have a bond. In 2001, LB 415 was introduced, which proposed to remove references to the fee and bond from the Farm Labor Contractors Act. After testimony on the proposal, it was determined that removing the fee and bond would help the contractors but could eliminate protection granted to migrant workers. It was also discovered that many farm labor contractors were not complying with the act. I introduced LB 931, then, to remove the 50 mile domicile exemption. Removing this exemption will require all farm labor contractors to obtain a license and to pay the fee. This 50 mile domicile exemption was initially put into the statute to allow those local operators that hire employees for short periods of time in the summer. During the interim study, it was found that these contractors were actually the only ones that were required to obtain the license and pay the fee. To restore the original intent, the bill would add an exemption for contractors who have a workforce of at least 80 percent who are 17 years of age or under. Additionally, and I...I believe that this is an important part of the bill, it would require that bilingual employees will be at a work site for each shift that a non-English-speaking employee is working if the farm labor contractor has a workforce of ten or more non-English-speaking employees who speak the same non-English language. I do support the committee amendment, which adds an emergency clause, also does some clarifying in regards to the Department of Labor and also establishes the amount of the fee, which cannot exceed \$750. The enforcement also would include a means of reporting noncomplying contractors. The department would then be required to make a good-faith effort to investigate those contractors who have been...on whom reports have been submitted. I do want to thank the Business and Labor Committee for selecting this as one